

REMARKS

Applicant has carefully reviewed the Examiner's July 12, 2004 Official Action and respectfully requests reconsideration based on the above amendments and the following comments.

Claims 6-8 remain in the application for consideration.

Applicant has corrected the spelling of "finger-mounted" in claim 6, line 13. Applicant respectfully submits that this objection has now been overcome.

The Examiner has further rejected claims 6 and 7 under 35 U.S.C. §103(a) as being unpatentable over Yokoi '934 in view of Saksa '611, and claim 8 under 35 U.S.C. §13(a) as being unpatentable over Yokoi in view of Saksa, further in view of Saarikko '102. Applicant respectfully traverses these rejections especially as applied to the claims as amended.

Yokoi '934 is directed to transmitting/receiving apparatus (1) to be fitted into an external auditory meatus, wherein the Yokoi apparatus (1) comprises a bone conduction microphone (2) (not a speaker as in the claimed invention), and a speaker (3) both of which are housed in a single casing (4/5) fitted into the external auditory meatus. The bone-

conduction microphone (2) is described as picking up voice signals when the user of the apparatus speaks, and converting them into electrical signals which are transmitted to telephone apparatus (D), as shown in Fig. 8, connected to apparatus 1. The speaker (3) enclosed in casing (5), serves to transmit voices received from the telephone apparatus (D).

In comparison, the claimed invention comprises a bone conduction speaker (1) (not a microphone as in Yokoi) which serves the purpose of speaker (3) of Yokoi, whereas the microphone (3) of the claimed invention is disposed inside main body casing 2. Accordingly, the bone conduction speaker (1) and the microphone (3) of the claimed invention are separated from one another as claimed and not housed in a single casing as in Yokoi.

Further, casing (4/5) of Yokoi is clearly shaped to fit within the user's ear channel, whereas the housing of the claimed bone conduction speaker (1) is flat on the side to be placed into soft contact with the user's forehead, temple, cheekbone, etc., and is not designed to enter an ear channel as is the casing of Yokoi.

In addition, if the user tries to apply the Yokoi apparatus to his or her forehead or like thin-tissue portion (other than the ear), the earphone would be found to be

inconvenient due to its shape. In other words, it would be difficult to adjust against the user's body for bone conduction use.

In comparison, the finger-mounted portion (5) of the claimed invention is described in the specification on page 5, lines 10-16, as follows:

"...when the user makes or answers a phone call, one or two of his/her fingers (in general, his/her first finger and thumb) is or are inserted into the finger-mounted portion (5) of the bone conduction speaker (1) to have the bone conduction speaker (1) brought into soft contact with his/her forehead, temple, cheekbone or an area between his/her eyes in order to catch a received voice sound."

Further, Saksa is directed to a finger-mounted portion having cup shape on which a speaker can be mounted. To the extent that Saksa teaches mounting the Yokoi bone conduction microphone (not a speaker as claimed) on the finger-mounted portion of Saksa, such teaching is limited to a bone conduction microphone which fits into an external auditory meatus and not on a bone conducting speaker having a flat portion for contact with a user's forehead, temple, etc.

With reference to Fig. 1 illustrating the bone conduction speaker (1) which has a finger-mounted portion and a flat form surface of the speaker, it is clear that these features are inventive steps beyond the teaching of the cited

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prior art as they facilitate the user's ability to apply the speaker to the thin-tissue head portion for bone-conduction use.

Applicant submits that the invention is new and unobvious and not disclosed by the cited art. Accordingly, Applicant respectfully solicits the Examiner's early review and issuance of this application.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By   
Norman J. Latker  
Registration No. 19,963

NJL:ma  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528  
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